

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1260 be amended to read as follows:

- 1 Page 10, after line 9, begin a new paragraph and insert:
2 "Sec. 9. (a) This section applies if:
3 (1) a school corporation provided a health plan to school
4 corporation employees in 2010;
5 (2) after June 30, 2011, the school corporation elects to
6 participate in the state employee health plan as required by
7 section 4(3) of this chapter;
8 (3) an individual incurs a health care expense in a period:
9 (A) when the individual is covered by the state employee
10 health plan elected as described in subdivision (2); but
11 (B) not more than five (5) years after the school
12 corporation makes the election described in subdivision
13 (2); and
14 (4) the health care expense:
15 (A) would have been paid or reimbursed under the health
16 plan that the school corporation provided in 2010 if the
17 health plan had been in effect when the individual incurred
18 the health care expense; and
19 (B) is not eligible to be paid or reimbursed by the state
20 employee health plan elected as described in subdivision
21 (2).
22 (b) The individual is entitled to the greater of zero (0) or the
23 result of :
24 (1) the amount that would have been paid or reimbursed by

1 the health plan that the school corporation provided in 2010
2 if the health plan had been in effect when the individual
3 incurred the health care expense; minus

4 (2) the amount that is paid or reimbursed by the state
5 employee health plan by which the individual is covered as
6 described in subdivision (3);

7 for the health care expense, plus any consequential damages
8 resulting from failure to pay or reimburse the health care expense.
9 Any amount that is payable from money contributed by the
10 individual to the individual's health savings account established
11 under Section 223 of the Internal Revenue Code or a medical
12 savings account established under Section 220 of the Internal
13 Revenue Code shall not be treated as money paid or reimbursed by
14 a health plan or the state employee health plan by which the
15 individual is covered.

16 (c) The Indiana department of administration shall establish a
17 procedure to reimburse individuals under subsection (b). An
18 individual may file a cause of action to recover an amount under
19 subsection (b) if the Indiana department of administration does not
20 reimburse the individual within sixty (60) days after receiving a
21 written claim on the form prescribed by the Indiana department
22 of administration."

(Reference is to HB 1260 as printed February 18, 2011.)

Representative Austin